

IFW

Certification of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 5, 2005.

Sue Bromaghim

October 5, 2005

CUSTOMER NO. 36257

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Norbert MARXER et al.
Title: Process and Assembly for Non-Destructive Surface Inspections
Application No.: 10/619,109 Filing Date: July 10, 2003
Examiner: Richard A. ROSENBERGER Group Art Unit: 2877
Docket No.: TNCR.007US3 Conf. No.: 5810

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE CORRECTED
APPLICATION PAPERS – NOTICE OF ALLOWANCE MAILED**

Sir:

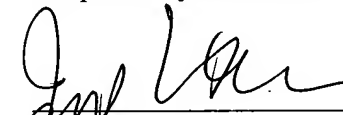
In response to the Notice to File Corrected Application Papers dated September 23, 2005, the undersigned provides the following:

In the (grand) parent case in which the executed Declarations were originally filed (US App. 08/770,491, now US Patent No. 6,271,916), inventor Norbert Marxer refused to sign such Declaration. A Petition requesting status under 37 CFR 1.47(a) was filed and ultimately granted on April 13, 1998, and a Supplemental Declaration was filed on June 12, 2001 in the parent application.

Attached is (1) a copy of the Notice to File Corrected Application Papers in the above-referenced application, (2) the Decision According Status Under 37 CFR 1.47(a) and Requirement of Supplemental Declaration in the parent case; and (3) Submission of Supplemental Declaration, dated June 12, 2001, filed in the parent case which issued as US Patent No. 6,271,916.

If the Office is aware of any additional matters that should be discussed, a call to the undersigned attorney at: (415) 318-1162 would be appreciated.

Respectfully submitted,


James S. Hsue
Reg. No. 29,545

October 5, 2005

Date

PARSONS HSUE & DE RUNTZ LLP
595 Market Street, Suite 1900
San Francisco, CA 94105
(415) 318-1160 (main)
(415) 318-1162 (direct)
(415) 693-0194 (fax)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number
10619109

Date Mailed
9/23/05

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

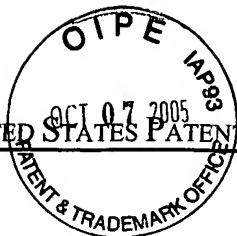
Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- This communication is in regards to the oath/declaration. The signature for Norbert Marxer is missing from the oath/declaration.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice MUST be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450
Alexandria, VA 22313-1450

Rori Burch
USPTO
Publishing Division
Fax (703) 746-6830
Fax (703) 308-6642



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,109	07/10/2003	Norbert Marxer	TNCR.007US3	5810

36257 7590 09/23/2005

PARSONS HSUE & DE RUNTZ LLP
595 MARKET STREET
SUITE 1900
SAN FRANCISCO, CA 94105

RECEIVED

SEP 29 2005

Parsons Hsue & de Runtz LLP

EXAMINER	
ROSENBERGER, RICHARD A	
ART UNIT	PAPER NUMBER
2877	

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

ATTORNEY: JSH/SSH

PHDR

ACTION: Correct APPN

DATE: 10/23/05

ACTION: 50

DATE: 12/30/05

DOCKETED: 200

DATE: 9/29/05

VERIFIED: _____



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

James S. Hsue
Majestic Parsons Siebert and Hsue
Four Embarcadero Center, Suite 1100
San Francisco CA 94111-4106

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APR 15 1998

MAJESTIC, PARSONS,
SIEBERT & HSUE

COPY MAILED

APR 13 1998

OFFICE OF PETITIONS
A/C PATENTS

In re Application of
Gross, Altendorfer, Kren, and Marxer
Application No. 08/770,491
Filed: December 20, 1996
For: Process and Assembly for Non-
Destructive Surface Inspections

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a) AND
REQUIREMENT OF
SUPPLEMENTAL DECLARATION

This is in response to the "Request for Reconsideration" filed March 9, 1998.

The petition is granted.

Petitioner has now supplied an acceptable declaration under 37 CFR 1.64.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

However, it is noted that the declaration contains a typographical error in the post office and residence address of the non-signing inventor (Liechtenstein is missing a "c"). Accordingly, a supplemental declaration is required, correcting the typographical error, before issuance of the application as a patent or any earlier time required by the examiner.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

The Power of Assignee, filed January 5, 1998, is considered proper for an application filed under 37 CFR 1.47(a).

After mailing this decision, the above-identified application will be forwarded to Group Art Unit 2505 for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703)306-3159.

Karin Tyson
Senior Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

MPS&H FILE <i>INCR. 007451</i>					
MM		PY		MW	
GPF		JPO		BH	
JSS		ADR		MAM	
ISH		VY		GC	<i>7</i>
KN		NEM		MD	



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Norbert Marxer
Mühlegasse 148 FL-9486
Schaanwald Liechtenstein

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APR 15 1998

COPY MAILED

**MAJESTIC, PARSONS,
SIEBERT & HSUE**

APR 13 1998

In re Application of
Gross, Altendorfer, Kren, and Marxer
Application No. 08/770,491
Filed: December 20, 1996
For: Process and Assembly for Non-Destructive Surface Inspections

OFFICE OF PATENTIONS
AND PATENTS

Dear Mr. Marxer:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703)305-9285. Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Karin Tyson
Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects

James S. Hsue
Majestic Parsons Siebert and Hsue
Four Embarcadero Center, Suite 1100
San Francisco CA 94111-4106



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): NORBERT MARXER ET AL.
Assignee: KLA-TENCOR CORPORATION
Title: PROCESS AND ASSEMBLY FOR NON-DESTRUCTIVE SURFACE INSPECTIONS
Serial No.: 08/770,491 Filing Date: December 20, 1996
Batch No.: D46 Date Allowed: March 13, 2001
Examiner: R. Rosenberger Group Art Unit: 2877
Docket No.: M-10579-1P US
TNCR.007US1

San Jose, California
June 12, 2001

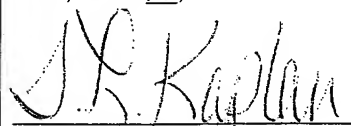
Box ISSUE FEE
Attn: Official Draftsperson
COMMISSIONER FOR PATENTS
Washington, D. C. 20231

SUBMISSION OF SUPPLEMENTAL DECLARATION

Dear Sir:


In accordance with the Decision According to Status Under 37 CFR 1.47(a) and Requirement of Supplemental Declaration mailed by the Patent Office on April 13, 1998, we attach a Supplemental Declaration, correcting the typographical error, noted by the Patent Office. Specifically, the spelling of "Liechtenstein" has been corrected.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on June 12, 2001.


Tammy L. Kaplan

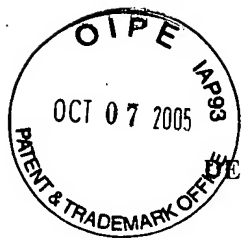
6/12/01
Date of Signature

Respectfully submitted,


James S. Hsue
Attorney for Applicant(s)
Reg. No. 29,545

LAW OFFICES OF
SKJERVEN MORRILL
MacPHERSON LLP

25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979



**SUPPLEMENTAL
DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

PROCESS AND ASSEMBLY FOR NON-DESTRUCTIVE SURFACE INSPECTIONS

which (check) ☐ is attached hereto.
☐ and is amended by the Preliminary Amendment attached hereto.
☒ was filed on December 20, 1996 as Application Serial No. 08/770,491
☐ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
N/A			<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
N/A	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
08/533,632	September 25, 1995	Patented
08/216,834	March 24, 199	Abandoned

I hereby appoint the following practitioners to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Customer Number 27869

Please address all correspondence and telephone calls to:

James S. Hsue
SKJERVEN MORRILL MacPHERSON LLP
 3 Embarcadero Center, Suite 2800
 San Francisco, California 94111

Telephone: 415-217-6000
 Facsimile: 415-434-0646

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Full name of sole (or first joint) inventor: NORBERT MARXER

Inventor's Signature: _____

Date: _____

Residence: Mühlegasse 148 FL-9486
 Schaanwald Liechtenstein

Post Office Address: Mühlegasse 148 FL-9486
 Schaanwald Liechtenstein

Citizenship: Liechtenstein

Full name of sole (or second joint) inventor: KENNETH P. GROSS

Inventor's Signature: _____

Date: _____

Residence: 69 Coronado Avenue
 San Carlos, California 94070

Post Office Address: 69 Coronado Avenue

Citizenship: U.S.A.

San Carlos, California 94070

Full name of sole (or third joint) inventor: HUBERT ALTENDORFER

Inventor's Signature:  Date: June - 01 - 01

Residence: 324 Meridian Drive
Redwood Shores, California 94035

Post Office Address: 325 Meridian Drive Citizenship: Austria
Redwood Shores, California 94035

Full name of sole (or fourth joint) inventor: GEORGE KREN

Inventor's Signature:  Date: June - 1 - 07

Residence: 26685 St. Francis Drive
Los Altos, California 94022

Post Office Address: 26685 St. Francis Drive Citizenship: U.S.A.
Los Altos, California 94022